

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JOHNNY RAY ARD,)	
)	
Petitioner,)	
)	
v.)	No. 4:15CV519 HEA
)	
JAY CASSADY,)	
)	
Respondent,)	

OPINION, MEMORANDUM AND ORDER

Johnny Ard petitions the Court for a writ of habeas corpus under 28 U.S.C. § 2254. The petition is successive, and the Court will dismiss it without further proceedings. *See* 28 U.S.C. § 2254, Rule 4.

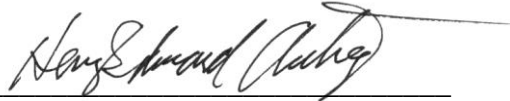
Petitioner was convicted of statutory rape in the first degree in 1998. The trial court sentenced him to fifty years' imprisonment. *See Ard v. Dormire*, No. 4:04CV1370 HEA (E.D. Mo.). Petitioner sought a writ of habeas corpus in this Court, and the Court denied it on the merits. Id. Petitioner now seeks to challenge the same state court judgment.

To the extent that petitioner seeks to relitigate claims that he brought in his original petition, those claims must be denied pursuant to 28 U.S.C. § 2244(b)(1). To the extent that petitioner seeks to bring new claims for habeas relief, petitioner must obtain leave from the United States Court of Appeals for the Eighth Circuit before he can bring those claims in this Court. 28 U.S.C. § 2244(b)(3)(A). Petitioner has not been granted leave to file a successive habeas petition in this Court. As a result, the petition is dismissed.

Finally, petitioner has failed to demonstrate that jurists of reason would find it debatable whether the petition is successive. Thus, the Court will not issue a certificate of appealability.

28 U.S.C. § 2253(c).

Dated this 27th day of March, 2015

A handwritten signature in black ink, reading "Henry Edward Autrey", written over a horizontal line.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE